

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ANDERSON/GREENWOOD DIVISION**

Muhammad Mustafa Abdullah,	)	
	)	
Plaintiff,	)	Civil Action No. 8:12-cv-03430-JMC
	)	
v.	)	<b>ORDER</b>
	)	
Eleanor Weaver; Dorothy Weaver;	)	
All Owners, Managers, Representatives,	)	
Spokespersons known and unknown;	)	
Mr. George Dukes,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff, proceeding *pro se*, brought this action seeking relief under 42 U.S.C. § 1983 (2012). (ECF No. 1.) This matter is before the court for review of the Magistrate Judge’s Report and Recommendation (“Report”) (ECF No. 10) recommending that Plaintiff’s action (ECF No. 1) be dismissed without prejudice. That Report sets forth in detail the relevant facts and legal standards on this matter, and the court incorporates the Magistrate Judge’s recommendation herein without a recitation.

The Magistrate Judge’s Report is made in accordance with 28 U.S.C. § 636(b)(1) (2012) and Local Civil Rule 73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to this court, and the recommendation has no presumptive weight—the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objections are made, and the court may accept, reject, or modify, in whole or in part, the Magistrate Judge’s recommendation or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1).

In this case, Plaintiff filed an Objection to the Report on January 22, 2013. (ECF No. 12.) However, nowhere in his Objection does Plaintiff reference or discuss the Report, or anything related to his original claims for that matter. (*See id.*)

This court “must determine de novo any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b)(3). The Court of Appeals for the Fourth Circuit has made clear that a district court reviews *de novo* only those portions of a magistrate judge’s report to which *specific* objections are filed, and it reviews those portions not objected to—including those portions to which only “general and conclusory” objections have been made—for clear error. *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (emphasis added) (citing 28 U.S.C.A. § 636(b)(1) (West 1993 & Supp. 2005)); *Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983); *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982).

After a thorough review of the Report and the record in this case, the court finds the Report provides an accurate summary of the facts and law and that there is no clear error. Therefore, the court **ADOPTS** the Magistrate Judge’s Report and Recommendation (ECF No. 10). It is therefore **ORDERED** that Plaintiff’s action (ECF No. 1) be **DISMISSED** without prejudice.

**IT IS SO ORDERED.**

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

January 28, 2016  
Columbia, South Carolina